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09/441,271	11/16/1999	STEPHAN MEYERS	6064-11	4110

7590

11/29/2002

Nokia Inc.  
6000 Connection Drive  
Irving, TX 75039

EXAMINER

NGUYEN, KEVIN M

ART UNIT

PAPER NUMBER

2674

DATE MAILED: 11/29/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/441,271

Applicant(s)

MEYERS ET AL.

Examiner

Kevin M. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 2-18 and 23-45 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2-18 and 23-45 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. The amendment filed on 11/5/2001 is entered. However, the claims 2-18 and 23-45 have been rejected in view of the newly discovered reference(s) to Redford et al and Kopp, Jr. et al. Rejections based on the newly cited reference(s) follow.

#### ***Claim Objections***

2. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claims 23-27 been renumbered 41-45.

#### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 41-43, 45, 2, 3, 6-8, 18, 23-26, 28-37, 39, 40, 9-14 and 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kopp, Jr. et al. (US 5,810,604) in view of Redford et al (US 6,327,459).

As to claims 41 and 42, Kopp et al teach an electronic book 1 associate a method of viewing information, the electronic book comprising a cover 2A and 2B, dotted lines 9 indicating which of various membrane switches 11 in a MYLAR

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membrane switch assembly 10 correspond to the various indicia 12 on a one-a one basis (figure 1, col. 4, lines 26-28); Row conductors 33 and column conductors 34 in MYLAR membrane switch assembly 10 sense the closing of such membrane switch 11. Row conductors 33 and column conductors 34 are connected to an integrated circuit sound/voice chip 41 (FIG. 10, col. 4, lines 42-44). Kopp fails to teach if the indication of first electronic code is associated with the indication of second electronic code then the electronic display is unlocked. However, Redford et al teach a related electronic binder 500 (electronic cover) which includes a front cover 511, a back cover 512, array of discrete switches including in the cover (figure 5A, col. 17, lines 3-12). During the mounting, a bar code pattern 521I printed on second portion 521B is read by identity reader 516 (a cover containing an indication of a second electronic code as claimed), thereby to determine a number that identifies insert 520. The base 510 operates the appropriate storage media containing the to-be-displayed information (figure 5J, col. 18, lines 26-29) is packaged with insert 520 or that base 510 includes a memory pre-programmed with an identity code (an electronic book including electronic circuitry and an indication of a first electronic code as claimed, figure 5A, col. 17, lines 32-40). It would have been obvious to a person of ordinary skill in the art at the time of the invention to utilize the code taught by Redford et al in Kopp's electronic book because this would provide a physical size, light weight, low cost and easily manufacturable electronic book (col. 2, lines 1-3 and lines 7-9 of Kopp).

As to claims 2 and 18, Redford et al teach a cover including an integrated circuit chip 41 (FIG. 3D, col. 13, lines 27-30).

As to claims 3 and 43, Redford et al teach a bar code pattern 521I printed on second portion 521B being read by identity reader 516 that determine a number that identifies insert 520 (a cover containing an indication of a second electronic code as claimed, figure 5J, col. 18, lines 26-29).

As to claims 6-8 and 45, Redford et al teach a cover 512 which are wireless connection (col. 18, lines 20-25).

5. As to claim 23, Kopp et al teach an electronic book 1 associate a method of viewing information, the electronic book comprising a cover 2A and 2B, dotted lines 9 indicating which of various membrane switches 11 in a MYLAR membrane switch assembly 10 correspond to the various indicia 12 on a one-a one basis (figure 1, col. 4, lines 26-28); Row conductors 33 and column conductors 34 in MYLAR membrane switch assembly 10 sense the closing of such membrane switch 11. Row conductors 33 and column conductors 34 are connected to an integrated circuit sound/voice chip 41 (FIG. 10, col. 4, lines 42-44). Kopp fails to teach if the indication of first electronic code is associated with the indication of second electronic code then the electronic display is unlocked. However, Redford et al teach a related electronic binder 500 (electronic cover) which includes a front cover 511, a back cover 512, array of discrete switches including in the cover (figure 5A, col. 17, lines 3-12). During the mounting, a bar code pattern 521I printed on second portion 521B is read by identity reader 516 (a cover containing an indication of a second electronic code as claimed), thereby to determine a number that identifies insert 520. The base 510 operates the appropriate storage media containing the to-be-displayed information (figure 5J, col. 18, lines 26-29) is packaged

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with insert 520 or that base 510 includes a memory pre-programmed with an identity code (an electronic book including electronic circuitry and an indication of a first electronic code as claimed, figure 5A, col. 17, lines 32-40). It would have been obvious to a person of ordinary skill in the art at the time of the invention to utilize the code taught by Redford et al in Kopp's electronic book because this would provide a physical size, light weight, low cost and easily manufacturable electronic book (col. 2, lines 1-3 and lines 7-9 of Kopp).

As to claim 9, Kopp et al teach the cover 2 coupling to electronic book 1 via membrane switches (figure 2).

As to claim 10-12, Redford et al teach the cover 401 that physically attaches to electronic book by a switch 405 (figure 4D, col. 16, line 56-57).

As to claims 13 and 14, Redford et al teach base 32 including a memory (col. 13, line 5-6).

As to claim 16, Redford et al teach a cover has a surface and displayed on the surface is material (col. 18, lines 26-29).

As to claim 17, Redford et al teach a cover is a binder (figure 5).

As to claim 24, Redford et al teach during the removing, a bar code pattern 521I printed on second portion 521B is not read by identity reader 516, undetermined a number that identifies insert 520. The base 510 blocks the appropriate storage media containing the to-be-displayed information (figure 5J, col. 18, lines 26-29).

As to claims 25 and 40, Redford teaches a cover including an integrated circuit chip 41 (FIG. 3D, col. 13, lines 27-30).

As to claim 26, Redford teaches a bar code pattern 521I printed on second portion 521B being read by identity reader 516 that determine a number that identifies insert 520 (a cover containing an indication of a second electronic code as claimed, figure 5J, col. 18, lines 26-29).

As to claim 28, Redford et al teach the cover is a sheet of paper (abstract).

As to claims 29-31, Redford teaches a cover 512 which are wireless connection (col. 18, lines 20-25).

As to claims 33-35, Redford et al teach the cover 401 that physically attaches to electronic book by a switch 405 (figure 4D, col. 16, line 56-57).

As to claims 36-37, Redford et al teach base 32 including a memory (col. 13, line 5-6).

As to claim 39, Redford et al teach a cover has a surface and displayed on the surface is material (col. 18, lines 26-29).

**6. Claims 4, 5, 44 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kopp et al in view Redford et al as applied to claims 41, 42 and 23, and further in view of Post et al (1997 IEEE).**

As to claims 4, 5, 44 and 27, Kopp et al and Redford et al teach all of the claimed limitations of claims 41, 42 and 23, except for a cover is fabric or paper. However, Post et al teaches a smart fabric having a circuit fabricated (figure 2, page 168). It would have been obvious to a person of ordinary skill in the art at the time of the invention to utilize a smart fabric taught by Post et al in Kopp et al's and Redford et al's electronic

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book because this would allow the user to the applicable of a fabric or paper cover with build in an IC chip.

**7. Claims 15 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kopp et al in view Redford et al as applied to claims 41 and 23, and further in view of Munyan (US 5,761,485).**

As to claims 15 and 38, Kopp et al and Redford et al teach all of the claimed limitation of claims 41 and 23, except for integrated circuit is web server and the electronic book includes a web browser and the cover couples to the electronic book by the web browser communicating with the web server. However, Munyan teaches the Personal Electronic Book 1 having a remote server, one-line bookstore (col. 5, lines 59-65). It would have been obvious to a person of ordinary skill in the art at the time of the invention to utilize a remote server taught by Munyan in Kopp et al's and Redford et al's electronic book because this would access one-line database service for later display by a user (col. 4, lines 64-67 of Munyan).

### ***Response to Arguments***

8. Applicant's arguments with respect to claims 2-18 and 23-45 have been considered but are moot in view of the new ground(s) of rejection.

### **Conclusion**

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Kevin M. Nguyen** whose telephone number is **703-305-6209**. The examiner can normally be reached on MON-THU from 9:00-6:00.



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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richard A Hjerpe** can be reached on **703-305-4709**.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

**(703) 872-9314 (for Technology Center 2600 only)**

Hand-delivered response should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Kevin M. Nguyen  
Examiner  
Art Unit 2674



**RICHARD HJERPE**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2600**